

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

UNITED STATES OF AMERICA) CRIMINAL NO.: 4:15-cr-00868-RBH-2
)
)
vs.) **MOTION FOR DISCOVERY**
) **PURSUANT TO THE UNITED**
BRIAN KEITH PERDUE,) **STATES SENTENCING**
) **COMMISSION GUIDELINES**
Defendant.)
)

The Defendant, Brian Keith Perdue, through his undersigned attorney, moves the Court for discovery and inspection of the following materials pursuant to the sentencing guidelines promulgated by the United States Sentencing Commission pursuant to the *Sentencing Reform Act of 1984*, 28 U.S.C. §§ 991-998 (1987):

1. Any and all information in the possession and control of the government which may, through the establishment of a “specific offense characteristic,” cause either an increase or decrease in the “offense level” applicable to Defendant’s alleged actions above or below the “base offense level” provided in Chapter Two of the guidelines.
2. Any and all information in the possession and control of the government which may, through the establishment of an “adjustment” as described in Chapter Three of the guideline, cause either an increase or decrease in the “offense level” applicable to Defendant’s alleged actions above or below the “base offense level” provided in Chapter Two of the guidelines, specifically in the areas of victim-related adjustments, role in the offense, alleged obstruction on the part of the Defendant; multiple counts adjustments and/or Defendant’s acceptance of responsibility.

3. Any and all information in the possession and control of the government which may relate to Defendant's categorization as a career offender, as defined in Chapter Four, Part B, of the guidelines.

4. Any and all information in the possession and control of the government which may show an alleged "pattern of criminal conduct from which the Defendant derived a substantial portion of her income," as defined in Chapter Four, Part B of the guidelines.

5. The government's calculation of Defendant's guideline range in the sentencing table found in Chapter Five of the guidelines.

6. Any and all information in the possession and control of the government which may constitute grounds for departure from the guidelines, either upward or downward, as set out in Chapter Five, Part K, of the guidelines.

/s/Ashley B. Nance
Ashley B. Nance
KING, LOVE & HUPFER, LLC
Post Office Box 1764
Florence, South Carolina 29503-1764
Federal ID No.11093
anance@kingandlove.com
(843) 407-5525

Attorney for Defendant
Brian Keith Perdue

Florence, South Carolina
January 8, 2016